

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/730,563	CAMPBELL, GLENDA GAIL
	Examiner	Art Unit
	Andrea M. Valenti	3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 18 November 2004.
2.  The allowed claim(s) is/are 1 and 3-21.
3.  The drawings filed on 08 December 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
 Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
 of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
 Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark W. Handley on 03 February 2005.

The application has been amended as follows:

**Claim 1**, line 4, "which the animal access after passing into the open forward end of the feeder base;" was changed to --which the animal accesses after walking into the entrance section of the feeder base;--

**Claim 6**, line 1, "according to claim 1" was changed to --according to claim 4--

**Claim 12**, line 9, "respectively;" was changed to --respectively, wherein the animal accesses said feeder section after walking into the entrance section of the feeder base;--

**Claim 18**, line 7, "wide" was changed to --width--

**Claim 18**, line 76, "said rearward said feeder" was changed to --said rearward end of said feeder--

### ***Allowable Subject Matter***

Claims 1 and 3-21 allowed.

The following is an examiner's statement of reasons for allowance:

Cited references US Patent 5,884,582; U.S. Patent 6,408,788 B1; US Patent D391,692; US Patent 2,841,116; US Patent 4,860,691; US Patent 6,739,284 B1; US Patent 3,763,825; US Patent 4,974,546; US Patent 3,324,833; US Patent 2,865,326; US Patent 5,148,626 A; US Patent 5,231,953; US Patent 6,467,433; US Patent 5,148,626 A; US Patent 1,257,211; US Patent 2,492,604; US Patent 4,029,051; US Patent 3,654,904; US Patent 6,557,489; US Patent 2,682,255; US Patent 5,054,431; US Patent 2,944,364; US Patent 2,781,607; US Patent 4,334,501; US Patent 5,222,990 US Patent 2,845,896; European Patent EP 390245; German Patent DE 330770 A1; United Kingdom Patent GB 2220835A teach elevated and covered outdoor pet feeders. The prior art of record all fails to show, and fails to make obvious, either alone and/or in combination a weatherproof pet feeder for placing outdoors to provide feed and water for a small animal, the weatherproof pet feeder comprising: a feeder base having an entrance section with an open forward end for receiving the animal, and a feeder section which the animal accesses after passing into the open forward end of the feeder base; wherein said feeder base has a substantially planer shape which is horizontally disposed, said entrance section being defined by an entrance slot which extends into said substantially planar shape and defines a U-shaped entrance, said entrance slot extending into said feeder base approximately two-thirds of a longitudinal length of said feeder base; support legs extending downward from said feeder base to a ground surface and suspending said feeder base above the ground surface, an enclosure having a front opening for receiving the animal and an enclosed rearward end, said enclosure fitting over said entrance section and said feeder section of said feeder base,

with said front opening registering with said open forward end of said entrance section of said feeder base and said enclosed rearward end enclosing said feeder section of said feeder base.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea M. Valenti whose telephone number is 703-305-3010. The examiner can normally be reached on 7:30am-5pm M-F; Alternating Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 703-308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the  
Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Peter M. Poon  
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03 February 2005